

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA,
Plaintiff

v.

3224 CALLE ARGENTINA
BROWNSVILLE, TEXAS 78526,
Defendant

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CIVIL CASE NO. 13-CV-172

AGREED FINAL JUDGMENT OF FORFEITURE

THIS DAY came on to be considered the Joint Motion for Agreed Final Judgment of Forfeiture.

Having taken judicial notice of the matters on file in this case, the Court finds the following facts at the parties' request.

A) On June 14, 2013, a Verified Complaint for Civil Forfeiture in Rem (D.E. 1) was filed in this cause which sought the forfeiture of 3224 Calle Argentina, Brownsville, Texas 78526 under 18 U.S.C. 981(a)(1)(A) since it was involved in a transaction or attempted transaction in violation of 18 U.S.C. 1956, 1957, or 1960. The property (hereinafter called the "subject property") which is the subject of this action is described as: the real property, along with its appurtenances, improvements and attachments thereon, located at 3224 Calle Argentina, Brownsville, Texas 78526, legally described as:

The real property located at Lot Five (5), Block Six (6), La Villita de la Nortena, Phase Four, Section One, Cameron County, Texas, according to the Map Recorded in Cabinet 1, Slot 2278-B, Page 2279-AB, Map Records of Cameron County, Texas.

That the statement of the case in the government's petition sets out probable cause to believe that the subject property is subject to forfeiture to the United States pursuant to 18 U.S.C. § 981 (a)(1)(A).

B) That the subject property was brought into the jurisdiction of the Court by the complaint filed in this cause.

C) That Notice of the Forfeiture was published on an official government internet site (www.forfeiture.gov) for at least thirty consecutive days, beginning on June 20, 2013, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions (D.E. 8). The Court hereby finds that service has been effected on all potential Claimants to the subject property both known and unknown.

D) On July 17, 2013, El Olivo Homes, LLC (hereafter Claimant) filed a claim to the subject property. (D.E. 4).

E) Other than the party noted above in paragraph D, no person or entity has filed a claim, an answer, or has otherwise appeared to contest Plaintiff's action to forfeit the subject property.

F) The time to appear and challenge this forfeiture action having passed, all potential claimants to the subject property other than Claimant are in default.

G) The United States of America and Claimant have entered into an agreement for an agreed resolution of this case.

It is therefore ORDERED, ADJUDGED, AND DECREED:

1. That Judgment be entered for the United States;
2. That the subject property is forfeited to the United States with all right, title, and interest in the subject property vesting in the United States;
3. That any and all right, title and interest of El Olivo Homes, LLC, Enrique Samano Hinojosa and Sara Ann Jobi is defaulted and forfeited to the United States;
4. That Claimant, within ten days of entry of this order, execute a warranty deed conveying to the United States any and all interest it has in the subject property;
5. That the United States process and sell the subject property and disburse the proceeds from the sale of the subject property in the following order of priority:

- a. To the costs of seizure, custodianship, and sale of the subject property;
- b. To the Taxing Authority for ad valorem taxes owed, as well as penalties and interest, if any; and
- c. To the United States in accordance with applicable law.

6. That the government and Claimant pay their own costs, attorney's fees, and all other expenses of whatever kind arising out of or resulting from the seizure of the subject property or from the institution, prosecution, or resolution of this case, except as otherwise provided herein.

THIS IS A FINAL JUDGMENT.

Signed, on this the _____ day of _____, 2014.

HONORABLE NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE